

REMARKS

In the Office Action mailed January 25, 2006, the following issues were raised:

1. Claims 7, 10, 11, 14-16, 18, 19, and 21 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 2,404,182 to Kump;
2. Claims 7, 11, 15-17, 19, and 21 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 1,645,336 to McGlothern in view of U.S. Patent No. 3,300,245 to Rumble;
3. Claims 8, 12, and 20 were rejected under 35 U.S.C. § 103(a) as being obvious over the Kump reference in view of U.S. Patent No. 740,846 to Giddings; and
4. Claims 22-26 and 28-32 were allowed.

Anticipation Rejections

Claims 7 and 11 were rejected as anticipated by the Kump reference. Anticipation requires that each and every limitation of the claim be taught by the cited reference. Applicant has amended both claims 7 and 11 to include the limitations of "the body portion ... defines a longitudinal direction" and of "the second tenon portion extends outwardly from the body portion to a distal end, the distal end having no direct support in the longitudinal direction". The combination of these limitations is not disclosed by the Kump reference. The Kump reference discloses the construction of U-shaped support from laminated plywood. The tenon portion 26 of the U-shaped support extends between the two legs 25 of the support. Therefore, each end of the tenon portion 26 is directly supported in the longitudinal direction by one of the legs 25. Thus, the Kump reference does not teach the limitation of the distal end of the tenon portion

"having no direct support in the longitudinal direction". For this reason, the Kump reference does not anticipate the support member of either of amended claims 7 or 11.

Applicant has amended claim 15 to include the limitation of "the body portion is formed from a single pillar, thereby defining a longitudinal direction, and the second tenon portion extends outwardly to a distal end, the distal end having no direct support in the longitudinal direction". For the same reasons stated above with reference to claims 7 and 11, the Kump reference does not anticipate the table of claim 15.

Each of claims 10, 14, 16, 18, 19, and 21 ultimately depends from one of claims 7, 11, or 15. Where the Kump reference does not anticipate any of claims 7, 11, or 15, it also does not anticipate any of these dependent claims.

Obviousness Rejections

Claims 7 and 11 were also rejected as obvious over the McGlothern reference in view of the Rumble reference. In order to establish a *prima facie* case of obviousness, all of the limitations found in the rejected claims must be disclosed or taught by the cited references. MPEP § 2143. The McGlothern reference also teaches a table leg having a U-shaped support member having two legs. However, like the Kump reference, the McGlothern reference teaches a tenon portion having two ends, each being directly supported in the longitudinal direction by one of the legs. This is distinctly different from the claimed limitation of the distal end of the tenon portion having no direct support in the longitudinal direction. Furthermore, the Rumble reference does not teach anything that would cure this shortcoming in the McGlothern reference. Therefore, the combination of the McGlothern and Rumble references does not establish a *prima facie* case of obviousness over the support member of either of amended claims 7 or 11.

For the same reasons stated above in connection with claim 7, the combination of the McGlothern and Rumble references does not establish a *prima facie* case of obviousness over the support member of amended claim 11 or the table of amended

claim 15. Similarly, a *prima facie* case of obviousness has not been established over any of claims 16, 17, 19, or 21, each of which depend from one of claim 15.

Claims 8, 12, and 20 were each rejected as obvious over the Kump reference in view of the Giddings reference. Claims 8, 12, and 20 depend from claims 7, 11, and 15, respectively. As discussed above the Kump reference does not teach or disclose all the limitations of claims 7, 11, and 15. Furthermore, the Giddings reference fails to fill in the gaps left in the teachings of the Kump reference. For this reason, the combination of the Kump and Giddings references does not establish a *prima facie* case of obviousness over any of claims 8, 12, and 20.

Claim 17, which depends from claim 15, was rejected as obvious over the Kump reference in view of the Rumble reference. Again, the Kump reference does not teach or disclose all the limitations of claim 15, and the Rumble reference does not fill in the gaps. The combination of the Kump Rumble references therefore does not establish a *prima facie* case of obviousness over claim 17.

Conclusion

In view of the foregoing, reconsideration of the rejections and issuance of a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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